

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

In re:	:	MDL Docket No. 4:03CV1507-WRW
	:	4:05CV00163
PREMPRO PRODUCTS LIABILITY LITIGATION	:	
	:	
	:	
LINDA REEVES	:	PLAINTIFF
	:	
v.	:	
	:	
WYETH	:	DEFENDANT

ORDER

The parties submitted their witness designations, counter-designations, and objections for review. The only deposition that was used in trial was the 6-29-2006 Essner deposition, and my rulings on that deposition are included in the next paragraph. As for the remaining 21 deposition designations, I ruled on the objections, but the designations were never used at trial. However, I have included them in this order to serve as guidance in future cases.

Essner R 20060629

Defendant's objection to page 547, line 24 through page 549, line 17 is OVERRULED.

Defendant's objection to page 550, line 15 through page 553, line 2 is OVERRULED.

Defendant's objection to page 553, line 18 through page 554, line 6 is OVERRULED.

Defendant's objection to page 555, line 14 through page 556, line 14 is OVERRULED.

Defendant's objection to page 563, line 23 through page 564, line 4 is SUSTAINED.

Defendant's objection to page 570, lines 2 through 17 is SUSTAINED.

Defendant's objection to page 576, lines 3 through 21 is OVERRULED.

Defendant's objection to page 581, line 12 through page 583, line 22 is OVERRULED.

Defendant's objection to page 622, line 16 through page 623, line 20 is SUSTAINED.

Each party's objection to page 671, lines 9 through 19 is OVERRULED.

Plaintiff's objection to page 674, line 20 through page 675, line 22 is OVERRULED.

Plaintiff's objection to page 745, line 22 through page 746, line 9 is OVERRULED.

Plaintiff's objection to page 748, line 20 through page 749, line 13 is OVERRULED.

Plaintiff's objection to page 753, lines 1 through page 754, line 24 is SUSTAINED.

Plaintiff's objection to page 755, lines 18 through 22 is GRANTED.¹

Plaintiff's objection to page 756, line 12 through page 757, line 5 is SUSTAINED.

Plaintiff's objection to page 757, line 15 through page 758, line 22 is OVERRULED.

Plaintiff's objection to page 760, lines 7 through 19 is OVERRULED.

Plaintiff's objection to page 762, lines 6 through 10 is OVERRULED..

Plaintiff's objection to page 772, line 15 through page 775, line 5 is OVERRULED.

Plaintiff's objection to page 776, line 22 through page 779, line 18 is OVERRULED.

Plaintiff's objection to page 781, line 23 through page 782, line 8 is OVERRULED.

Plaintiff's objection to page 782, line 12 through page 784, line 6 is OVERRULED.

Plaintiff's objection to page 784, line 12 through page 786, line 9 is OVERRULED.

Plaintiff's objection to page 787, line 22 through page 788, line 12 is OVERRULED.

Plaintiff's objection to page 788, line 20 through page 790, line 23 is OVERRULED.

Plaintiff's objection to page 791, line 9 through page 792, line 16 is OVERRULED.

Plaintiff's objection to page 797, line 18 through page 798, line 4 is OVERRULED.

¹References to Mr. Essner's salary will not be permitted by either party.

Plaintiff's objection to page 800, line 16 through page 801, line 11 is SUSTAINED.

Plaintiff's objection to page 803, lines 18 through 24 is OVERRULED.

Defendant's objection to page 810, line 16 through 811, line 1 is OVERRULED.

The following designations were ruled on but never used at trial, but are provided for guidance:

1. Pickar J 20050920

Defendant's objection to page 18, lines 21 through 24 is OVERRULED.

Defendant's objection to page 19, line 19 through page 22, line 21 is SUSTAINED.

Defendant's objection to page 23, line 7 through page 24, line 5 is SUSTAINED.

Defendant's objection to page 25, line 4 through page 26, line 5 is OVERRULED.

2. Pickar J 20050921

Plaintiff's objection to page 500, line 18 through page 501, line 6 is OVERRULED.

3. Deitch M 20051026

Defendant's objection to page 169, line 23 through page 170, line 8 is OVERRULED.

Defendant's objection to page 197, line 1 through 12 is SUSTAINED.

Defendant's objection to page 199, line 12 through page 200, line 4 is OVERRULED.

Defendant's objection to page 203, lines 13-24 is OVERRULED.

Defendant's objection to page 210, line 15 through page 212, line 10 is SUSTAINED.

Defendant's objection to page 214, line 24 through page 216, line 19 is OVERRULED.

Defendant's objection to page 217, line 3 through page 221, line 7 is OVERRULED.

Defendant's objection to page 227, line 1 through page 227, line 9 is OVERRULED.

Defendant's objection to page 264, line 16 through page 265, line 4 is SUSTAINED.

4. Deitch M 20051027

Plaintiff's objection to page 402, line 16 through page 403, line 13 is OVERRULED.

Defendant's objection to page 425, line 15 through page 426, line 3 is OVERRULED.

Defendant's objection to page 426, line 15 through page 427, line 13 is OVERRULED.

Defendant's objection to page 427, line 22 through page 428, line 6 is OVERRULED.

Defendant's objection to page 444, line 12 through page 448, line 13 is OVERRULED but the testimony is limited to the issue of cardiovascular benefit.

Defendant's objection to page 454 lines 9 through 17 is OVERRULED.

Defendant's objection to page 497, line 19 through page 498, line 6 is OVERRULED.

Defendant's objection to page 500, line 14 through page 501, line 21 is OVERRULED.

Defendant's objection to page 502, line 21 through page 503, line 3 is SUSTAINED.

Defendant's objection to page 521, lines 15 through 22 is OVERRULED.

Defendant's objection to page 637, line 16 through page 639, line 1 is OVERRULED.

Defendant's objection to page 639, line 22 through page 640, line 4 is OVERRULED.

Defendant's objection to page 646, line 19 through page 647, line 23 is SUSTAINED.

Defendant's objection to page 649, lines 7 through 18 is SUSTAINED.

Defendant's objection to page 649, line 24 through page 650, line 6 is SUSTAINED.

Defendant's objection to page 683, line 23 through page 684, line 10 is OVERRULED.

Defendant's objection to page 694, line 15 through page 695, line 24 is OVERRULED.

Defendant's objection to page 697, line 4 through page 698, line 15 is OVERRULED.

Defendant's objection to page 719, line 18 through page 720, line 7 is OVERRULED.

Defendant's objection to page 726, lines 5 through 23 is OVERRULED.

5. Marder H 20060117

Defendant's objection to page 26, line 19 through page 30, line 12 is OVERRULED.

Defendant's objection to page 30, lines 18 through 20 is OVERRULED.

Defendant's objection to page 32, line 18 through page 33, line 2 is OVERRULED.

Defendant's objection to page 58, line 5 through page 59, line 21 is SUSTAINED.

Defendant's objection to page 65, lines 4 through 11 is OVERRULED.

Defendant's objection to page 67, lines 5 through 13 is OVERRULED.

Defendant's objection to page 67, lines 14 through 22 is SUSTAINED.

Defendant's objection to page 67, line 24 through page 68, line 11 is OVERRULED.

Defendant's objection to page 71, line 9 through page 72, line 20 is OVERRULED.

Defendant's objection to page 15, line 15 through page 82, line 1 is OVERRULED.

Defendant's objection to page 84, lines 13 through 24 is SUSTAINED.

Defendant's objection to page 85, line 20 through page 86, line 15 is OVERRULED.

Defendant's objection to page 97, lines 6 through 17 is SUSTAINED.

Defendant's objection to page 98, line 24 through 100, line 21 is SUSTAINED.

Defendant's objection to page 112, lines 3 through 24 is OVERRULED.

Defendant's objection to page 116, line 18 through page 117, line 4 is OVERRULED.

Defendant's objection to page 120, line 6 through page 121, line 9 is OVERRULED.

Defendant's objection to page 137, line 4 through page 138, line 9 is SUSTAINED.

Defendant's objection to page 153, line 4 through page 157, line 22 is OVERRULED.

Defendant's objection to page 159, lines 7 through 20 is SUSTAINED.

Defendant's objection to page 159, line 21 through page 161, line 2 is OVERRULED.

Defendant's objection to page 169, line 11 through page 170, line 1 is OVERRULED.

Defendant's objection to page 174, line 2 through page 176, line 4 is OVERRULED.

Plaintiff's objection to page 192, line 22 through page 193, line 14 is OVERRULED.

Plaintiff's objection to page 199, line 24 through page 200, line 6 is OVERRULED.

Plaintiff's objection to page 202, lines 3 through 9 is OVERRULED.

Plaintiff's objection to page 202, line 13 through page 203, line 6 is OVERRULED.

Plaintiff's objection to page 206, line 8 through page 208, line 2 is OVERRULED.

6. Essner R 20060628

Defendant's objection to page 53, line 19 through page 54, line 6 is OVERRULED.

Defendant's objection to page 58, line 21 through page 60, line 16 is SUSTAINED.

Defendant's objection to page 61, line 8 through page 62, line 17 is SUSTAINED.

Defendant's objection to page 64, line 19 through page 66, line 10 is SUSTAINED.

Defendant's objection to page 69, lines 5 through 18 is SUSTAINED.

Defendant's objection to page 71, line 23 through page 73, line 1 is SUSTAINED.

Defendant's objection to page 79, line 15 through page 80, line 10 is OVERRULED.

Defendant's objection to page 80, line 20 through page 81, line 3 is OVERRULED.

Defendant's objection to page 81, line 10 through page 82, line 5 is OVERRULED.

Defendant's objection to page 84, line 10 through page 85, line 1 is OVERRULED.

Defendant's objection to page 101, line 16 through page 102, line 8 is OVERRULED.

Defendant's objection to page 104, lines 4 through 10 is OVERRULED.

Defendant's objection to page 107, lines 11 through 17 is OVERRULED.

Defendant's objection to page 108, line 17 through page 109, line 2 is OVERRULED.

Defendant's objection to page 117, line 5 through page 119, line 18 is OVERRULED.

Defendant's objection to page 127, line 19 through page 128, line 1 is SUSTAINED.

Defendant's objection to page 138, line 24 through page 139, line 9 is OVERRULED.

Defendant's objection to page 165, line 1 through page 167, line 5 is OVERRULED.

Defendant's objection to page 172, line 21 through page 173, line 21 is SUSTAINED.

Defendant's objection to page 175, line 4 through page 176, line 12 is SUSTAINED.

Defendant's objection to page 178, line 5 through page 178, line 17 is OVERRULED.

Defendant's objection to page 181, line 6 through page 182, line 11 is OVERRULED.

Defendant's objection to page 186, line 11 through page 186, line 24 is OVERRULED.

Defendant's objection to page 188, line 15 through page 189, line 6 is OVERRULED.

Defendant's objection to page 210, line 9 through page 214, line 5 is OVERRULED.

Defendant's objection to page 219, line 10 through page 220, line 2 is SUSTAINED.

Defendant's objection to page 221, line 20 through page 222, line 14 is SUSTAINED.

Defendant's objection to page 228, line 3 through page 229, line 19 is SUSTAINED.

Defendant's objection to page 231, line 15 through page 232, line 20 is SUSTAINED.

Defendant's objection to page 243, line 10 through page 244, line 12 is SUSTAINED.

Defendant's objection to page 245, line 18 through page 246, line 24 is SUSTAINED.

Defendant's objection to page 248, line 20 through page 251, line 3 is SUSTAINED.

Defendant's objection to page 254, line 17 through page 256, line 20 is OVERRULED.

Defendant's objection to page 257, line 17 through page 258, line 19 is SUSTAINED.

Defendant's objection to page 266, line 7 through page 267, line 2 is SUSTAINED.

Defendant's objection to page 267, line 14 through page 269, line 1 is SUSTAINED.

Defendant's objection to page 275, line 12 through page 277, line 8 is SUSTAINED.

Defendant's objection to page 280, line 9 through page 281, line 15 is SUSTAINED.

Defendant's objection to page 282, line 5 through page 283, line 8 is SUSTAINED.

Defendant's objection to page 305, line 17 through page 307, line 6 is SUSTAINED.

Defendant's objection to page 308, line 16 through page 308, line 22 is SUSTAINED.

Defendant's objection to page 310, line 20 through page 311, line 17 is SUSTAINED.

Defendant's objection to page 311, line 22 through page 312, line 15 is SUSTAINED.

Defendant's objection to page 312, line 19 through page 314, line 20 is SUSTAINED.

Defendant's objection to page 316, lines 2 through 8 is SUSTAINED.

Defendant's objection to page 342, line 9 through page 343, line 13 is OVERRULED.

7. Zucal V 20050728

Defendant's objection to page 40, line 22 through page 41, line 15 is OVERRULED.

Defendant's objection to page 42, line 23 through page 43, line 21 is SUSTAINED.

Defendant's objection to page 56, line 20 through page 57, line 7 is SUSTAINED.

Defendant's objection to page 82, line 23 through page 83, line 6 is OVERRULED.

Defendant's objection to page 111, line 19 through page 112, line 9 is OVERRULED.

Defendant's objection to page 280, line 8 through page 281, line 11 is OVERRULED.

8. Rosser C 20040902

Defendant's objection to page 19, lines 14 through 24 is OVERRULED.

Defendant's objection to page 20, line 16 through page 21, line 10 is OVERRULED.

9. Poussot B 20060531

Defendant's objection to page 136, line 15 through page 140, line 19 is OVERRULED.

Defendant's objection to page 140, line 3 through page 147, line 17 is OVERRULED.

10. Mahady J 20051116

Defendant's objection to page 71, lines 7 through 8 is OVERRULED.

Defendant's objection to page 71, line 23 through page 72, line 6 is OVERRULED.

Defendant's objection to page 73, lines 6 through 22 is OVERRULED.

Plaintiff's objection to page 93, line 8 through page 94, line 2 is OVERRULED.

Plaintiff's objection to page 96, line 8 through page 97, line 3 is OVERRULED.

Plaintiff's objection to page 99, line 2 through page 99, line 22 is OVERRULED.

Plaintiff's objection to page 227, lines 1 through 12 is OVERRULED.

11. Mahady J 20051117

Defendant's objection to page 437, line 22 through page 438, line 10 is OVERRULED.

Defendant's objection to page 438, lines 12 through page 439, line 21 is OVERRULED.

Defendant's objection to page 439, line 23 through page 441, line 3 is OVERRULED.

Defendant's objection to page 462, lines 15-23 is SUSTAINED.

Defendant's objection to page 470, line 24 through page 471, line 11 is OVERRULED.

Plaintiff's objection to page 475, line 7 through page 477, line 19 is OVERRULED.

Defendant's objection to page 486, lines 14-18 is OVERRULED.

12. Ruffolo R 20051114

Plaintiff's objection to page 18, lines 17 through 21 is OVERRULED.

Plaintiff's objection to page 19, line 20 through page 20, line 4 is OVERRULED.

Plaintiff's objection to page 25, lines 10 through 24 is OVERRULED.

Defendant's objection to page 87, line 20 through page 88, line 7 is OVERRULED.

Defendant's objection to page 119, line 11 through page 120, line 1 is OVERRULED.

Defendant's objection to page 130, line 16 through page 132, line 13 is OVERRULED.

Defendant's objection to page 135, line 14 through page 137, line 5 is OVERRULED.

Defendant's objection to page 221, line 24 through page 225, line 9 is OVERRULED.

Defendant's objection to page 254, lines 14 through 24 is OVERRULED.

Defendant's objection to page 274, line 17 through page 275, line 16 is OVERRULED.

Defendant's objection to page 305, line 16 through page 305, line 23 is OVERRULED.

Defendant's objection to page 338, line 18 through page 339, line 4 is OVERRULED.

Defendant's objection to page 339, line 20 through page 342, line 4 is OVERRULED.

Defendant's objection to page 345, line 18 through page 346, line 7 is OVERRULED.

13. Ruffolo R 20060728

Plaintiff's objection to page 23, lines 3 through 10 is OVERRULED.

Plaintiff's objection to page 23, lines 15 through 23 is OVERRULED.

Plaintiff's objection to page 24, line 15 through page 26, line 17 is OVERRULED.

Plaintiff's objection to page 35, line 2 through page 38, line 3 is OVERRULED.

Plaintiff's objection to page 38, line 4 through page 39, line 12 is OVERRULED.

Plaintiff's objection to page 43, lines 17 through 21 is SUSTAINED.

Plaintiff's objection to page 44, line 18 through page 45, line 8 is SUSTAINED.

Plaintiff's objection to page 45, line 15 through page 46, line 14 is SUSTAINED.

Defendant's objection to page 105, line 5 through page 106, line 20 is SUSTAINED.

Defendant's objection to page 107, line 21 through page 108, line 6 is OVERRULED.

Defendant's objection to page 108, line 15 through page 109, line 20 is OVERRULED.

Defendant's objection to page 144, line 3 through page 145, line 5 is OVERRULED.

Defendant's objection to page 149, lines 4 through 17 is OVERRULED.

Defendant's objection to page 155, line 16 through page 156, line 11 is OVERRULED.

Defendant's objection to page 159, line 2 through page 160, line 1 is OVERRULED.

Defendant's objection to page 161, line 13 through page 162, line 14 is OVERRULED.

Defendant's objection to page 172, line 18 through page 173, line 7 is OVERRULED.

Defendant's objection to page 173, line 19 through page 175, line 5 is OVERRULED.

Defendant's objection to page 195, line 2 through page 196, line 4 is OVERRULED.

Defendant's objection to page 210, line 21 through page 211, line 7 is OVERRULED.

Defendant's objection to page 216, line 21 through page 217, line 5 is OVERRULED.

Defendant's objection to page 240, line 17 through page 243, line 18 is SUSTAINED.

Defendant's objection to page 250, lines 8 through 22 is OVERRULED.

Defendant's objection to page 273, line 23 through page 278, line 20 is OVERRULED.

Defendant's objection to page 283, line 5 through page 302, line 22 is OVERRULED.

14. Conklin J 20040414

Defendant's objection to page 91, lines 8 through 22 is OVERRULED.

Defendant's objection to page 92, line 19 through page 93, line 12 is OVERRULED.

Defendant's objection to page 94, lines 4 through 11 is OVERRULED.

Defendant's objection to page 94, lines 15 through 21 is OVERRULED.

Defendant's objection to page 95, lines 3 through 17 is OVERRULED.

Defendant's objection to page 124, line 18 through page 125 line 8 is OVERRULED.

Defendant's objection to page 263, line 16 through page 264, line 4 is OVERRULED.

Defendant's objection to page 272, lines 13 through 23 is OVERRULED.

15. Mitrione D 20040429

Defendant's objection to page 11, lines 18 through 23 is OVERRULED.

Defendant's objection to page 276, lines 1 through 5 is OVERRULED.

Defendant's objection to page 280, line 24 through page 281, line 4 is SUSTAINED.

Defendant's objection to page 311, lines 20 through 22 is OVERRULED.

Defendant's objection to page 312, lines 8 through 13 is OVERRULED.

Defendant's objection to page 312, line 24 through page 313, line 4 is OVERRULED.

Defendant's objection to page 313, line 24 through page 314, line 3 is OVERRULED.

Defendant's objection to page 393, line 11 through page 394, line 3 is OVERRULED.

Defendant's objection to page 395, lines 3 through 7 is OVERRULED.

Defendant's objection to page 397, lines 3 through 8 is OVERRULED.

16. Strickland S 20050908

Defendant's objection to page 30, line 17 through page 31, line 9 is OVERRULED.

Defendant's objection to page 34, line 8 through 16 is OVERRULED.

Defendant's objection to page 38, line 23 through page 39, line 16 is OVERRULED.

Defendant's objection to page 40, line 20 through page 41, line 24 is OVERRULED.

Defendant's objection to page 70, line 4 through page 74, line 12 is OVERRULED.

Defendant's objection to page 75, line 12 through page 77, line 21 is OVERRULED.

Defendant's objection to page 101, lines 7 through 24 is OVERRULED.

Defendant's objection to page 183, line 22 through page 184, line 4 is OVERRULED.

Defendant's objection to page 186, line 12 through page 187, line 4 is OVERRULED.

Defendant's objection to page 313, lines 11 through 16 is OVERRULED.

17. Strickland S 20050909

Plaintiff's objection to page 469, lines 10 through 22 is OVERRULED.

Defendant's objection to page 469, line 24 through page 470, line 21 is OVERRULED.

Plaintiff's objection to page 471, lines 3 through 7 is OVERRULED.

Defendant's objection to page 472, lines 1 through 11 is OVERRULED.

Defendant's objection to page 472, line 17 through page 473, line 14 is OVERRULED.

Defendant's objection to page 474, line 3 through page 475, line 2 is OVERRULED.

Plaintiff's objection to page 475, line 18 through page 476, line 1 is OVERRULED.

Defendant's objection to page 476, lines 3 through 10 is OVERRULED.

Defendant's objection to page 477, lines 2 through 23 is SUSTAINED.

Defendant's objection to page 498, line 3 through page 501, line 11 is OVERRULED.

Defendant's objection to page 662, line 23 through page 663, line 5 is OVERRULED.

Defendant's objection to page 705, line 22 through page 707, line 11 is OVERRULED.

Defendant's objection to page 708, line 17 through page 709, line 7 is OVERRULED.

Defendant's objection to page 713, line 18 through page 714, line 1 is OVERRULED.

Defendant's objection to page 728, line 4 through page 729, line 18 is OVERRULED.

Defendant's objection to page 729, line 19 through page 730, line 4 is OVERRULED.

Defendant's objection to page 732, lines 2 through 15 is OVERRULED.

Plaintiff's objection to page 734, lines 7 through 11 is SUSTAINED.

Defendant's objection to page 734, lines 13 through 16 is OVERRULED.

Plaintiff's objection to page 734, line 24 through page 735, line 6 is OVERRULED.

Defendant's objection to page 746, line 5 through page 747, line 12 is OVERRULED.

Defendant's objection to page 755, lines 8 through 23 is OVERRULED.

Defendant's objection to page 803, lines 11 through 16 is OVERRULED.

Defendant's objection to page 804, lines 5 through 13 is OVERRULED.

Defendant's objection to page 809, lines 1 through 5 is OVERRULED.

Defendant's objection to page 814, line 15 through page 815 line 3 is OVERRULED.

Defendant's objection to page 831, lines 9 through 14 is OVERRULED.

Defendant's objection to page 846, line 19 through page 850, line 14 is OVERRULED.

18. Yavuz E 20050113

Defendant's objection to page 28, line 23 through page 30, line 1 is OVERRULED.

Plaintiff's objection to page 41, line 7 through page 42, line 3 is OVERRULED.

Defendant's objection to page 56, line 10 through page 57, line 4 is OVERRULED.

Defendant's objection to page 57, line 5 through page 57, line 15 is OVERRULED.

Plaintiff's objection to page 74, line 18 through page 80, line 12 is OVERRULED.

Defendant's objection to page 155, line 23 through page 157, line 1 is OVERRULED.

Defendant's objection to page 161, line 23 through page 163, line 19 is OVERRULED.

Defendant's objection to page 238, line 12 through page 244, line 10 is OVERRULED.

Defendant's objection to page 252, line 11 through page 254, line 3 is OVERRULED.

Defendant's objection to page 257, line 19 through page 258, line 22 is OVERRULED.

Defendant's objection to page 259, line 10 through page 259, line 21 is OVERRULED.

Plaintiff's objection to page 265, line 9 through page 266, line 15 is OVERRULED.

Defendant's objection to page 274, line 13 through page 275, line 7 is SUSTAINED.

Defendant's objection to page 276, lines 7 through 13 is OVERRULED.

Defendant's objection to page 276, line 17 through page 277, line 11 is OVERRULED.

Defendant's objection to page 282, lines 5 through 16 is OVERRULED.

Defendant's objection to page 284, lines 12 through 17 is OVERRULED.

Defendant's objection to page 288, line 6 through page 289, line 7 is OVERRULED.

Defendant's objection to page 310, lines 5 through 23 is SUSTAINED.

Plaintiff's objection to page 323, lines 5 through 10 is OVERRULED.

Plaintiff's objection to page 334, line 5 through page 335, line 9 is OVERRULED.

Plaintiff's objection to page 335, line 15 through page 336, line 14 is SUSTAINED.

19. Cobb P 20051118

Defendant's objection to page 30, lines 1 through 12 is OVERRULED.

Defendant's objection to page 35, lines 11 through 20 is OVERRULED.

Defendant's objection to page 36, line 19 through page 37, line 11 is OVERRULED.

Defendant's objection to page 37, line 20 through page 38, line 2 is OVERRULED.

Defendant's objection to page 38, lines 8 through 14 is OVERRULED.

Defendant's objection to page 66, lines 11 through 15 is OVERRULED.

Defendant's objection to page 67, lines 1 through 6 is OVERRULED.

Defendant's objection to page 113, lines 5 through 20 is OVERRULED.

Defendant's objection to page 137, line 15 through page 138, line 6 is OVERRULED.

Defendant's objection to page 162, lines 3 through 13 is OVERRULED.

Defendant's objection to page 167, lines 12 through 18 is OVERRULED.

Defendant's objection to page 168, line 21 through page 169 line 3 is OVERRULED.

Defendant's objection to page 169, lines 17 through 21 is OVERRULED.

Defendant's objection to page 205, lines 12 through 16 is OVERRULED.

20. Cobb P 20060623

Plaintiff's objection to page 307, lines 2 through 8 is OVERRULED.

Plaintiff's objection to page 322, line 12 through page 323, line 4 is OVERRULED.

Plaintiff's objection to page 366, line 22 through page 368, line 1 is OVERRULED.

Defendant's objection to page 390, line 16 through page 391, line 9 is OVERRULED.

Defendant's objection to page 393, lines 8 through 14 is OVERRULED.

Defendant's objection to page 494, lines 1 through 11 is OVERRULED.

Defendant's objection to page 495, lines 6 through 9 is OVERRULED.

21. Speroff L 20050630

Defendant's objection to page 24, line 6 through page 25, line 15 is OVERRULED

Defendant's objection to page 25, line 19 through page 27, line 25 is OVERRULED.

Defendant's objection to page 28, line 6 through page 29, line 6 is OVERRULED.

Defendant's objection to page 31, lines 1 through 7 is OVERRULED.

Defendant's objection to page 34, line 18 through page 36, line 1 is OVERRULED.

Defendant's objection to page 36, line 23 through page 38, line 13 is OVERRULED.

Defendant's objection to page 40, line 12 through page 42, line 13 is OVERRULED.

Defendant's objection to page 42, line 16 through page 43, line 6 is SUSTAINED.

Defendant's objection to page 45, line 1 through page 46, line 6 is OVERRULED.

Defendant's objection to page 46, line 9 through page 48, line 18 is OVERRULED.

Defendant's objection to page 49, line 17 through page 50, line 14 is OVERRULED.

Defendant's objection to page 55, lines 1 through page 56, line 22 is OVERRULED.

Defendant's objection to page 57, line 1 through page 64, line 9 is OVERRULED.

Defendant's objection to page 68, lines 9 through 18 is SUSTAINED.

Defendant's objection to page 68, lines 19 through 24 is OVERRULED.

Defendant's objection to page 75, line 4 through page 76, line 5 is OVERRULED.

Defendant's objection to page 82, line 18 through page 83, line 20 is OVERRULED.

Defendant's objection to page 83, line 24 through page 84, line 7 is OVERRULED.

Defendant's objection to page 88, line 6 through page 89, line 21 is OVERRULED.

Defendant's objection to page 92, line 19 through page 95, line 20 is OVERRULED.

Defendant's objection to page 107, line 16 through page 108, line 3 is OVERRULED.

Defendant's objection to page 112, line 21 through page 113, line 22 is OVERRULED.

Defendant's objection to page 116, line 19 through page 117, line 25 is OVERRULED.

Defendant's objection to page 129, line 6 through page 130, line 13 is OVERRULED.

Defendant's objection to page 132, lines 4 through 16 is SUSTAINED.

Plaintiff's objection to page 191, lines 2 through 24 is OVERRULED.

Plaintiff's objection to page 196, line 21 through page 197, line 5 is OVERRULED.

Plaintiff's objection to page 205, lines 3 through 11 is OVERRULED.

IT IS SO ORDERED this 11th day of September, 2006.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE